

**REMARKS**

Applicant has now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of October 10, 2002. Reexamination and reconsideration are respectfully requested.

**The Office Action**

Claims 1-20 were presented for examination.

Claims 1-4, 7-9 and 14-15 were rejected under the Ewing patent.

Claims 5-6, 10-13 and 16-20 stand objected to as being dependent upon a rejected base claim.

**Remarks**

In consideration of the Examiner's comments, Applicant has amended claim 1 to include the essential limitations of dependent claims 3 and 5, including defining the sheet metal as having a slot into which a portion of the rim of the capacitor is inserted. It is submitted these changes address the Examiner's position as to the allowability of claim 5. In consideration of this, it is believed claim 1, as now amended, is distinguished from the art.

Applicant has amended claim 7 to include the essential limitations of dependent claims 9 and 10. The amended claim includes the noted to be allowable subject matter of claim 10, and the material in the intervening dependent claim 9. Incorporated is language related to a clip portion that secures a portion of the capacitor. Further defined is that the capacitor includes a cylindrical housing having a crimped lip, and a portion of the capacitor includes a portion of the crimped lip.

Turning to independent claim 14, Applicant respectfully traverses the rejection of this claim on the basis of Ewing. More particularly, while Ewing describes a clipping arrangement, *i.e.*, brackets 46 to secure capacitor 38, it is submitted it does not show the concept of the cylindrical capacitor wherein at least one wire tie acts to partially secure the capacitor to the lighting fixture via a plurality of holes arranged on a mounting surface of the lighting fixture. Use of the wire tie arrangement permits use of this securing device with a variety of different sized capacitors and capacitors which may not include a rim portion. In consideration of this distinction, it is submitted the present claim 14 is distinguished.

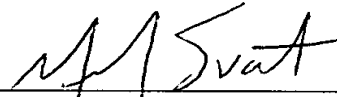
Applicants respectfully request the Examiner to reconsider this rejection.

**CONCLUSION**

For the reasons detailed above, it is respectfully submitted that all claims remaining in the present patent application are in condition for allowance. An early notice to that effect is earnestly solicited.

Respectfully submitted,

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MINNICH & McKEE, LLP

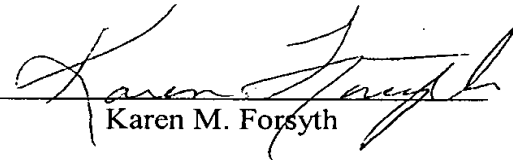


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**CERTIFICATE OF MAILING**

I hereby certify that this Amendment A is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231, on **January 10, 2003**.

By

  
Karen M. Forsyth

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE****In the Claims**

Please cancel claims 2, 5, 9 and 10.

Please amend claims 1, 4, 7 and 11 as follows:

1. (Amended) A mounting apparatus for mounting an associated can-type capacitor to a sheet metal portion of an associated electrical device housing, the mounting apparatus comprising:

a clip arranged on the sheet metal portion; and

a receiving region arranged on the sheet metal portion, having a slot formed into the sheet metal portion, the receiving region receiving an edge of the capacitor, the edge comprising a portion of a rim of the capacitor, and cooperating with the clip to at least partially secure the capacitor to the sheet metal portion, wherein the portion of the rim is inserted into the slot when the capacitor is positioned at an angle relative to the sheet metal portion.

4. (Amended) The mounting apparatus as set forth in claim [3] 1, wherein:  
the rim of the capacitor includes a crimped region formed during crimping of a lid to the can-type capacitor housing.

7. (Amended) A mounting apparatus for mounting an associated capacitor within the housing of an associated electrical apparatus, the mounting apparatus comprising:

a clip that secures to a portion of the capacitor; and

at least one wire tie that at least partially encircles the capacitor and that cooperates with at least one hole formed into the housing in securing the capacitor to the housing, wherein

the capacitor includes a cylindrical housing having a crimped lip, and  
the portion of the capacitor includes a portion of the crimped lip.

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11. (Amended) The mounting apparatus as set forth in claim [10] 7, wherein:  
the clip secures the capacitor against movement parallel to the cylindrical axis.

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